United Nations S/2002/713

Security Council

Distr.: General
28 June 2002

Original: English

Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1387 (2002) of 15 January 2002 by which the Council extended the mandate of the United Nations Mission of Observers in Prevlaka (UNMOP) until 15 July 2002, and covers developments since my report of 2 January 2002 (S/2002/1).

2. UNMOP comprises 27 United Nations military observers (see annex), headed by Colonel Rodolfo Sergio Mujica (Argentina), the Chief Military Observer.

3. In accordance with its mandate, UNMOP continued to monitor the demilitarization of the Prevlaka peninsula and the neighbouring areas in Croatia and the Federal Republic of Yugoslavia. It conducted daily patrols throughout its area of responsibility and held periodic meetings with the local authorities in order to strengthen liaison, improve safety and security and promote confidence between the parties. Cooperation between UNMOP and the multinational Stabilization Force (SFOR) was maintained through periodic meetings. UNMOP continued to maintain its 24-hour presence at the team site on the Ostra peninsula, at Herceg Novi, at its headquarters at Cavtat and at Gruda (see attached map).

II. Progress towards a negotiated settlement

4. The Federal Republic of Yugoslavia and Croatia continued to address their dispute over Prevlaka through bilateral negotiations in the Interstate Diplomatic Commission, established in December 2001, and its subsidiary bodies. The parties provided several briefings to Colonel Mujica and the United Nations Secretariat on their bilateral contacts. In addition, they reported on their talks in a joint letter, signed by the Ministers for Foreign Affairs of the two countries (S/2002/368 of 10 April 2002) and addressed to the President of the Security Council. According to the briefings and the letter, the parties are negotiating in good faith and in an atmosphere of mutual confidence and respect. They have made progress on the substance and format of their talks and are working actively on a comprehensive cross-border regime, as well as a mutual implementation monitoring mechanism. As is stated in the letter of 10 April, this "would eventually contribute to the successful ending of the United Nations Mission of Observers in Prevlaka".

02-44944 (E) 010702

III. Situation in the area of responsibility of the Mission

United Nations-controlled zone

5. The situation in the demilitarized and the United Nations-controlled zones remained calm and stable. However, in continuing violation of the agreed security regime in the United Nations-controlled zone, about nine Croatian police officers were usually stationed at two positions and about two Montenegrin Border Police officers were usually stationed at one position inside the zone, the exact numbers of personnel varying from day to day. During the period under review, the Croatian police carried out improvements of their observation positions. The Croatian police also conducted regular foot and vehicle patrols throughout the part of the zone accessible to Croatian police officers. Croatia and Montenegro continued to operate manned checkpoints in the zone for the purpose of implementing the crossing regime, which they initiated at Cape Kobila in January 1999.

6. Over the last months, there was an increased interest on the part of Member States, UNMOP contributing countries, Security Council members and others in visiting the UNMOP area of responsibility. The security regime in the United Nations-controlled zone provides that non-United Nations personnel need the authorization of UNMOP to enter the zone. In an effort to contribute to normalization in its area of responsibility, the Mission has consistently replied positively to requests for such authorization. However, a number of visits to the United Nations-controlled zone, primarily from the Croat side, did not follow the established rules and therefore had to be qualified as violations and were accordingly the subject of protests. A number of overflights by unidentified aircraft destined for Kosovo, Federal Republic of Yugoslavia, as well as an overflight on 8 June by United States military helicopters, similarly constituted violations and protests have been lodged.

7. The Croatian authorities continued to permit civilians, including local and foreign tourists, to enter the zone for fishing, grazing of animals, recreation and the collection of firewood. The Montenegrin authorities also permitted civilians to enter the part of the zone overseen by them, though in substantially fewer numbers than on the Croatian side. The United Nations-controlled zone has also continued to be violated daily by small fishing or pleasure craft, which entered from both the Croatian and Montenegrin sides.

8. Given the large number of persons entering the zone without authorization, UNMOP re-marked suspected minefields as a precaution against accidents.

Demilitarized zone

9. With minor exceptions, both parties respected the demilitarized zone during the reporting period. The United Nations military observers continued to enjoy unrestricted freedom of movement on the Yugoslav side of the zone, but on the Croatian side the authorities maintained their requirement that UNMOP provide advance written notice before undertaking patrols in the northern region.

10. A commercial demining company conducted limited mine clearance in the northern part of the Croatian demilitarized zone.

IV. Financial aspects

11. Although an independent mission, UNMOP draws its administrative and budgetary support from UNMIBH. The budget for UNMIBH for the period from 1 July 2002 to 30 June 2003, as recommended by the Advisory Committee on Administrative and Budgetary Questions, which is currently before the General Assembly, amounts to $78.5 million gross.

12. Therefore, should the Security Council decide to extend the mandate of UNMOP beyond 15 July 2002, as recommended in paragraph 13 below, the costs of maintaining the Mission would be met from within the budget of UNMIBH. Requirements for ongoing support to the Mission will be constantly reviewed in the context of the future liquidation of UNMIBH, which is scheduled to commence on 1 January 2003.

V. Observations

13. I am encouraged by the progress made by the parties towards resolving their dispute over Prevlaka through meetings of the Interstate Diplomatic Commission and its subordinate bodies. The growing convergence of their positions is clearly shown in their letter of 10 April to the President of the Security Council. I hope that the good progress achieved so far will continue and that the parties will be able to agree in the foreseeable future on a transitional border-crossing regime, which would allow UNMOP to withdraw. Meanwhile, in order to maintain conditions propitious to a successful conclusion of these efforts, I recommend that the mandate of UNMOP be extended for a further three months, without change to the current concept of operations, until 15 October 2002. Should the parties reach an agreement before this time, I will revert to the Council without delay.

14. In the United Nations-controlled zone, a substantial number of violations of the security regime had to be recorded. None of them gave rise to security concerns. However, they show a disregard for the agreed security regime and undermine respect for mutual security agreements. The violations result largely from a failure to enact appropriate control measures at the boundaries of the zone. All concerned should take steps to ensure that the security regime is respected fully. The manned checkpoints at Cape Kobila should be relocated to the boundaries of the zone or their operation legitimized by agreement between the parties.

15. In conclusion, I should like to commend the Chief Military Observer and the men and women of UNMOP for their continuing efforts to maintain peace and security in their area of responsibility.

Annex

Contributions to the United Nations Mission of Observers in Prevlaka as at 1 July 2002

Country	*Military observers*
Argentina	2[a]
Bangladesh	1
Belgium	1
Brazil	2
Czech Republic	1
Denmark	1
Egypt	1
Finland	1
Ghana	1
Indonesia	2
Ireland	2
Jordan	1
Kenya	1
Nepal	1
New Zealand	1
Nigeria	1
Norway	1
Pakistan	1
Poland	1
Russian Federation	1
Switzerland	1
Ukraine	2
Total	**27**

[a] Including the Chief Military Observer.

Map 4137 Rev. 5 United Nations
January 2002

Department of Public Information
Cartographic Section